

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

In re:

**WOODROW DAVIS, JR.
MARCIA JAN DAVIS,**

CHAPTER 13

Debtors.

CASE NO. 10-73534-FJS

NAVY FEDERAL CREDIT UNION,

Plaintiff/Movant

vs.

**WOODROW DAVIS, JR.
MARCIA JAN DAVIS
MICHAEL P. COTTER, TRUSTEE,**

Defendants.

ORDER GRANTING RELIEF

Upon the Motion for Relief of the Plaintiff, Navy Federal Credit Union, having been properly served and upon agreement by Counsel;

It appears that the Debtors are in possession of certain real property hereinafter described upon which Plaintiff holds a Note secured by a valid Deed of Trust; that the Plaintiff is entitled to maintain its lien against said property and to pursue such remedies as it may have in its Deed of Trust whereby it obtained such lien, it is

ORDERED that Relief from the automatic stay of 11 U.S.C., Section 362 be, is granted to allow the Plaintiff to enforce the lien of its Deed of Trust set out in its Motion including the initiation of foreclosure proceedings as well as to commence and complete any lawful action necessary to obtain complete possession of the subject property subsequent to a foreclosure pertaining to the property located at *1116 Ginger Crescent, Virginia Beach, VA 23453*, and described as follows:

**THAT CERTAIN PIECE OR PARCEL OF LAND, AND THE
BUILDINGS
AND
IMPROVEMENTS THEREON, KNOWN AS: 1116 GINGER
CRESCENT**

IN THE TOWN OF: VIRGINIA BEACH

COUNTY OF: VIRGINIA BEACH

AND STATE OF: VIRGINIA

**BEING MORE PARTICULARLY DESCRIBED IN A DEED
RECORDED IN:**

BOOK: 3669 PAGE: 1680 DOCUMENT NUMBER:

PIN: GPIN:1486 80 5274 0000 TAX MAP NUMBER_____

LOT: 59 BLOCK: Phase: _____ Section L-1

ACREAGE: _____

It is further **ORDERED** that upon entry of this Order, the Chapter 13 Trustee be relieved of any and all obligations to remit payment incident to the arrearages set forth in the Proof of Claim filed by Plaintiff.

FURTHER ORDERED that the Movant shall promptly notify the Chapter 13 Trustee in writing of the results of any foreclosure of the subject deed and pay to the Chapter 13 Trustee any excess funds received from such foreclosure sale, to be disbursed upon agreement with the Debtor or upon further order of the Court.

It is **FURTHER ORDERED** that any deficiency claim must be filed 120 days from the entry of the order, or nothing in the order can be interpreted that a deficiency claim will be allowed.

It is **ORDERED** that the relief granted herein will be binding and enforceable as to the Debtors in the event the case is converted.

It is additionally acknowledged that by endorsement of this Order, Counsel for Debtors hereby represents that Debtors have been advised of the terms of the agreement as set forth in this Order.

DATED:

JUDGE

NOTICE OF JUDGMENT OR ORDER
Entered on Docket

I ask for this:

/s/ D. Carol Sasser

Samuel I. White, P. C.
D. Carol Sasser, Esquire, VSBN 28422
Counsel for Navy Federal Credit Union
5040 Corporate Woods Drive
Suite 120
Virginia Beach, VA 23462

Seen and Agreed:

/s/ Steve C. Taylor

Steve C. Taylor, Esquire
Counsel for Debtors
133 Mount Pleasant Road
Chesapeake, VA 23322

Seen:

/s/ Warren A. Uthe, Jr., Attorney for

Michael P. Cotter
Chapter 13 Trustee
870 Greenbrier Circle, Suite 402
Chesapeake, VA 23320
Case #10-73534-FJS

CERTIFICATE

I certify that this proposed Order has been endorsed by all parties involved in this proceeding.

/s/ D. Carol Sasser

D. Carol Sasser, Esquire

The Clerk shall mail a copy of the entered Order to the following:

Michael P. Cotter
Chapter 13 Trustee
870 Greenbrier Circle, Suite 402
Chesapeake, VA 23320

Steve C. Taylor, Esquire
Counsel for Debtors
133 Mount Pleasant Road
Chesapeake, VA 23322

Woodrow Davis, Jr. and Marcia Jan Davis
Debtors
1116 Ginger Crescent
Virginia Beach, VA 23453

D. Carol Sasser, Esquire
Counsel for Navy Federal Credit Union
5040 Corporate Woods Drive
Suite 120
Virginia Beach, VA 23462